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September 8, 2025

VIA ECF

Hon. Chief Judge Margo K. Brodie
United States District Court Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: Wang v. Chung Fat Supermarket Inc. et al., Case No: 1:25-CV-02236 (MKB)(PK)

Dear Chief Judge Brodie:

Plaintiff Shengmeng Wang and Defendants Chung Fat Supermarket Inc. (“Chung Fat”), Yue Mei Jiang, Xue Feng Jiang, Xinyu Jiang, Xin Xin Chiang (collectively, “Corporate Defendants”) and Zhi Liang Chen write jointly in response to the Court’s Order dated August 27, 2025. The Order required the Parties to “confer and file on or before September 8, 2025 a proposed schedule that incorporates plaintiff’s amended complaint and a briefing schedule for defendants’ motion(s) to dismiss if they decide there is a basis to move to dismiss the amended complaint.”

On August 27, 2025, the Corporate Defendants informed Plaintiff that he signed an arbitration agreement with Chung Fat which includes a Class and Collective Action Waiver. In light of this newfound information, Plaintiff consents to individual arbitration of his claims that Defendants failed to adequately pay him for overtime hours worked in violation of the New York Labor Law (“NYLL”), did not adhere to NYLL 195(1) by failing to provide written notice of his pay, violated NYLL 195(3) by failing to provide accurate wage statements, and that Defendants committed fraudulent filing of information returns in violation of 26 U.S.C. § 7434.

The parties jointly request that the Court provide an additional 14 days for the parties to meet and confer and file a joint letter by September 22, 2025, regarding the appropriate next steps with respect to this litigation and Plaintiff’s anticipated amended complaint for his claims of retaliation under New York Executive Law section 296(7) and New York City Administrative Code Title 8, section 8-107(1)(e).

Thank you for your attention to this matter.

Respectfully submitted,

/s/ Kevin K. Yam
Kevin K. Yam
Littler Mendelson P.C.
Attorney for Corporate Defendants

/s/ Joseph M. Labuda, Esq.
Joseph M. Labuda
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Attorney for Plaintiff Shengmeng Wang

/s/ Terrence J. Worms

Terrence J. Worms

Law Office of Terrence J. Worms, P.C.

Attorney for Defendant Zhi Liang Chen

cc: all counsel of record (via ECF)